

deemed to include a reference to the Office of Juvenile Crime Control and Delinquency Prevention, and

(2) a reference to the National Institute for Juvenile Justice and Delinquency Prevention shall be deemed to include a reference to Office of Juvenile Crime Control and Delinquency Prevention.

SEC. 581. RAPID RESPONSE PLAN FOR KIDS WHO BRING A GUN TO SCHOOL.

Section 505 of the Incentive Grants for Local Delinquency Prevention Programs Act (42 U.S.C. 5784) is amended—

(1) in subsection (a)

(A) in paragraph (6), by striking “and” at the end;

(B) in paragraph (7), by striking the period at the end and inserting “, and”; and

(C) by adding at the end the following:

“(8) court supervised initiatives that address the illegal possession of firearms by juveniles.”; and

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “demonstrate ability in”;

(B) in paragraph (1), by inserting “have in effect” after “(1)”;

(C) in paragraph (2)—

(i) by inserting “have developed” after “(2)”;

(ii) by striking “and” at the end;

(D) in paragraph (3)—

(i) by inserting “are actively” after “(3)”;

and

(ii) by striking the period at the end and inserting “; and”;

(E) by adding at the end the following:

“(4) have in effect a policy or practice that requires State and local law enforcement agencies to detain in an appropriate juvenile facility or secure community-based placement for not less than 24 hours any juvenile who unlawfully possesses a firearm in a school, upon a finding by a judicial officer that the juvenile may be a danger to himself or herself, or to the community.”.

HOLLINGS AMENDMENT NO. 328

(Ordered to lie on the table.)

Mr. HOLLINGS (for himself, Mr. DORGAN, Mr. KOHL, Mr. INOUE, and Mr. BYRD) submitted an amendment intended to be proposed by them to the bill, S. 254, supra; as follows:

At the appropriate place, insert the following:

TITLE —CHILDREN'S PROTECTION FROM VIOLENT TELEVISION PROGRAMMING

SEC. 01. SHORT TITLE.

This title may be cited as the “Children's Protection from Violent Programming Act”.

SEC. 02. FINDINGS.

The Congress makes the following findings:

(1) Television influences the perception children have of the values and behavior that are common and acceptable in society.

(2) Broadcast television, cable television, and video programming are—

(A) pervasive presences in the lives of all American children; and

(B) readily accessible to all American children.

(3) Violent video programming influences children, as does indecent programming.

(4) There is empirical evidence that children exposed to violent video programming at a young age have a higher tendency to engage in violent and aggressive behavior later in life than those children not so exposed.

(5) Children exposed to violent video programming are prone to assume that acts of

violence are acceptable behavior and therefore to imitate such behavior.

(6) Children exposed to violent video programming have an increased fear of becoming a victim of violence, resulting in increased self-protective behaviors and increased mistrust of others.

(7) There is a compelling governmental interest in limiting the negative influences of violent video programming on children.

(8) There is a compelling governmental interest in channeling programming with violent content to periods of the day when children are not likely to comprise a substantial portion of the television audience.

(9) Because some programming that is readily accessible to minors remains unrated and therefore cannot be blocked solely on the basis of its violent content, restricting the hours when violent video programming is shown is the least restrictive and most narrowly tailored means to achieve a compelling governmental interest.

(10) Warning labels about the violent content of video programming will not in themselves prevent children from watching violent video programming.

(11) Although many programs are now subject to both age-based and content-based ratings, some broadcast and non-premium cable programs remain unrated with respect to the content of their programming.

(12) Technology-based solutions may be helpful in protecting some children, but may not be effective in achieving the compelling governmental interest in protecting all children from violent programming when parents are only able to block programming that has in fact been rated for violence.

(13) Technology-based solutions will not be installed in all newly manufactured televisions until January 1, 2000.

(14) Even though technology-based solutions will be readily available, many consumers of video programming will not actually own such technology for several years and therefore will be unable to take advantage of content based ratings to prevent their children from watching violent programming.

(15) In light of the fact that some programming remains unrated for content, and given that many consumers will not have blocking technology in the near future, the channeling of violent programming is the least restrictive means to limit the exposure of children to the harmful influences of violent programming.

(16) Restricting the hours when violent programming can be shown protects the interests of children whose parents are unavailable, are unable to supervise their children's viewing behavior, do not have the benefit of technology-based solutions, are unable to afford the costs of technology-based solutions, or are unable to determine the content of those shows that are only subject to age-based ratings.

SEC. 03. UNLAWFUL DISTRIBUTION OF VIOLENT VIDEO PROGRAMMING.

Title VII of the Communications Act of 1934 (47 U.S.C. 701 et seq.) is amended by adding at the end the following:

“SEC. 715. UNLAWFUL DISTRIBUTION OF VIOLENT VIDEO PROGRAMMING.

“(a) UNLAWFUL DISTRIBUTION.—It shall be unlawful for any person to distribute any violent video programming to the public during hours when children are reasonably likely to comprise a substantial portion of the audience.

“(b) RULEMAKING PROCEEDING.—The Commission shall conduct a rulemaking proceeding to implement the provisions of this

section and shall promulgate final regulations pursuant to that proceeding not later than 9 months after the date of enactment of the Children's Protection from Violent Programming Act. As part of that proceeding, the Commission—

“(1) may exempt from the prohibition under subsection (a) programming (including news programs and sporting events) whose distribution does not conflict with the objective of protecting children from the negative influences of violent video programming, as that objective is reflected in the findings in section 551(a) of the Telecommunications Act of 1996;

“(2) shall exempt premium and pay-per-view cable programming; and

“(3) shall define the term ‘hours when children are reasonably likely to comprise a substantial portion of the audience’ and the term ‘violent video programming’.

“(c) ENFORCEMENT.—

“(1) CIVIL PENALTY.—The Commission shall impose a civil penalty of not more than \$25,000 on any person who violates this section or any regulation promulgated under it for each such violation. For purposes of this paragraph, each day on which such a violation occurs is a separate violation.

“(2) LICENSE REVOCATION.—If a person repeatedly violates this section or any regulation promulgated under this section, the Commission shall, after notice and opportunity for hearing, revoke any license issued to that person under this Act.

“(3) LICENSE RENEWALS.—The Commission shall consider, among the elements in its review of an application for renewal of a license under this Act, whether the licensee has complied with this section and the regulations promulgated under this section.

“(d) DISTRIBUTE DEFINED.—In this section, the term ‘distribute’ means to send, transmit, retransmit, telecast, broadcast, or cablecast, including by wire, microwave, or satellite.”.

SEC. 04. SEPARABILITY.

If any provision of this title, or any provision of an amendment made by this title, or the application thereof to particular persons or circumstances, is found to be unconstitutional, the remainder of this title or that amendment, or the application thereof to other persons or circumstances shall not be affected.

SEC. 05. EFFECTIVE DATE.

The prohibition contained in section 715 of the Communications Act of 1934 (as added by section—03 of this title) and the regulations promulgated thereunder shall take effect 1 year after the regulations are adopted by the Commission.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 2:30 p.m. on Tuesday, May 11, 1999, in executive session, to mark up the fiscal year 2000 Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. HATCH. Mr. President, I ask unanimous consent that the full Committee on Environment and Public

Works be granted permission to conduct a business meeting to consider pending business Thursday, May 11, 9:00 a.m., Hearing Room (SD-406).

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 11, 1999 at 2:30 p.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Tuesday, May 11, 1999 at 10:00 a.m. in room 226 of the Senate Dirksen Office Building to hold a hearing on: "Combating Hate Crimes: Promoting a Responsive and Responsible Role for the Federal Government."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AIRLAND

Mr. HATCH. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Committee on Armed Services be authorized to meet at 5:00 p.m. on Tuesday, May 11, 1999, in executive session, to mark up the FY 2000 Defense Authorization Bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS

Mr. HATCH. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet at 11:00 a.m. on Tuesday, May 11, 1999, in executive session, to mark up the FY 2000 Defense Authorization Bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, RESTRUCTURING AND THE DISTRICT OF COLUMBIA

Mr. HATCH. Mr. President, I ask unanimous consent that the Governmental Affairs Committee Subcommittee on Oversight of Government Management, Restructuring and District of Columbia be permitted to meet on Tuesday, May 11, 1999, at 10:30 a.m. for a hearing on Multiple Program Coordination in Early Childhood Education: The Agency Perspective.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. HATCH. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet at 9:45 a.m. on Tuesday, May 11, 1999, in executive session, to mark up the FY 2000 Defense Authorization Bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOWER

Mr. HATCH. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet at 4:00 p.m. on Tuesday, May 11, 1999, in executive session, to mark up the FY 2000 Defense Authorization Bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

TRIBUTE TO "MANUEL" KATSUMI OISHI

• Mr. INOUE. Mr. President, I am honored to rise in tribute to Mr. "Manuel" Katsumi Oishi who has faithfully served the Territorial Government of Hawaii and the State of Hawaii, Maui County, for 37 years. He unselfishly dedicated his time to improve his community. Born in 1926 and raised in McGerrow Camp, Puunene, Maui, Mr. Oishi is being recognized today at the McGerrow Camp Reunion for the honor that he brings his birthplace.

Mr. Oishi's career began with the Territorial government in 1949. In 1951, he started working for Maui County as a Clerk in the Building Department. He was promoted to Clerk for the Transportation Control Committee, then later served as Secretary. Transferred to the Civil Defense Department in 1958, he held the positions of Secretary, then Coordinator, and, in 1961, he became the Civil Defense Administrator. In 1973, while Deputy County Clerk and later as County Clerk, Mr. Oishi ensured that the county operated efficiently and unselfishly gave of his time to assist Maui residents navigate the sometimes bureaucratic maze of government.

Because of his love of sports and the youth of Maui, Mr. Oishi pursued a simultaneous career as The Honolulu Advertiser's sports reporter for 38 years. He diligently covered all of Maui's interscholastic sports in the evenings and on weekends. His positive stories encouraged young Maui athletes to take pride in themselves and their sports.

The incredibly energetic Mr. Oishi has devoted countless volunteer hours to make life a little easier and better for the residents he so dearly loves. Since graduation from Baldwin High School in 1944, Mr. Oishi has headed the planning of every class reunion. During the last 20 years, he has chaired all of the McGerrow Camp reunions on Maui, which have amassed an attendance of 250 to 300 people. Mr. Oishi's relentless efforts have resulted in former McGerrow Camp residents having a great time and experiencing a deep feeling of friendship and ohana (fam-

ily). When the Selective Service System went through some trying times, Mr. Oishi volunteered for five years to help push the paperwork through and to answer those pressing questions from anxious young men and their parents.

His commitment to the youth of Maui is also evident in his volunteer work with the AJA Baseball League in which he held several positions on the board. In 1991, he received the Tadaichi Fukunaga Dana Award for his "unselfish services and contributions to (his) temple and to the growth of Buddhism." Since 1976, he has been Editor of "Friends of the Dharma," the monthly newspaper for his church, Wailuku Hongwanji Mission.

Although Mr. Oishi is retired from government service and The Honolulu Advertiser, he continues his invaluable service to his church and the Maui County Credit Union of which he serves as the Secretary-Treasurer.

Mr. Oishi's unfaltering commitment to government service and his sincere devotion to his community and its citizens bring pride and honor to McGerrow Camp. He certainly has earned the love and admiration of the residents of McGerrow Camp, the County of Maui, and the State of Hawaii.

Mr. President, I ask my colleagues in the Senate to join me in recognizing "Manuel" Katsumi Oishi for his outstanding contributions to Maui County and to the State of Hawaii and send my heartiest aloha to those celebrating the McGerrow Camp reunion. ●

TRIBUTE TO BRUNO STACHOWSKE & NUTFIELD COUNTRY STORE OF LONDONDERY, NEW HAMPSHIRE

• Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Bruno Stachowske, a hard-working New Hampshire entrepreneur. His thriving small business, Nutfield Country Store, was named the "1999 Retail Business of the Year" by the Londonderry Business Council. I commend his hard work and this outstanding achievement.

Nutfield Country Store is well known in Londonderry and across the state for its friendly and courteous service to its patrons. As a small business, Nutfield continuously demonstrates exemplary community spirit through its involvement in many local and national causes.

Bruno's commitment to community involvement has led Nutfield Country Store to support many volunteer organizations, youth sports teams, and the annual Thanksgiving food drives. Bruno is also well known for his fund raising efforts on behalf of cystic fibrosis. Every year, he participates in cystic fibrosis fund raising efforts by riding his bicycle for donations.

As a former small business owner, I recognize the importance and value of